

IN RE: PETITIONS FOR SPECIAL EXCEPTION \* BEFORE THE  
 AND VARIANCE – N/S German Hill Road,  
 850' E of the c/l Merritt Boulevard \* DEPUTY ZONING COMMISSIONER  
 (7620 German Hill Road)  
 12<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
 7<sup>th</sup> Councilmanic District \* Case No. 99-266-XA  
 Gus S. Glava & Thomas Pappagallo  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Gus S. Glava and Thomas Pappagallo. The Petitioners request a special exception to permit a service garage for used car rentals and sales on Parcel A of the subject property, zoned B.L.-A.S., and a variance from Section 232.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback from residentially zoned property of 9 feet in lieu of the required 20 feet. The subject property and relief sought are more particularly described on the site plan submitted, which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Gus S. Glava, co-owner of the subject property, Paul Lee, Professional Engineer who prepared the site plan of this property, and Peter Gargano, Esquire, attorney for Rent-A-Wreck Car Rentals, the tenant for whom the special exception and variance are being requested. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property consists of a gross area of 0.9887 acres, more or less, split zoned B.L.-A.S. (0.25 acres) and D.R.5.5 (0.7387 acres), and is improved with a strip shopping center. The property is located on the north side of German

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Date

By

3/11/99  
 [Signature]

German Hill Road near its intersection with Merritt Boulevard in Dundalk. The Petitioners are requesting approval of the use of a portion of the subject property, identified as Parcel A on the site plan, for a service garage. Testimony and evidence indicated that Rent-A-Wreck has operated a car rental business within the subject shopping center for some time. As shown on the site plan, the used car rental and sales office occupies 1,316.1 sq.ft. of space within the shopping center, and approximately 6,421 sq.ft. is dedicated to the storage of vehicles. Testimony indicated that Rent-A-Wreck was unaware that a special exception was needed to operate their business on the property until a routine zoning inspection in the area was conducted. The Petitioners were advised by a Code Enforcement Inspector that they must apply for a special exception in order to continue to operate their business on the premises. Furthermore, a variance is necessary, due to the location of the existing building immediately adjacent to residentially zoned property. Testimony revealed that the majority of the shopping center is located on the Petitioner's property line, thereby providing a 0-foot setback in most locations. However, the space being used by this tenant has a setback of 9.4 feet. Thus, a variance is necessary. The Petitioner does not propose to build any new structures on the property; merely, the special exception and variance requests are necessary to legitimize the car rental business which has existed within the shopping center for some time.

This Deputy Zoning Commissioner has reviewed and approved similar requests to locate car rental businesses within shopping centers. The manner in which such use is approved is through a request for special exception for a service garage. The definition of a service garage, as found in Section 101 of the B.C.Z.R., includes car rental businesses.

As noted above, Mr. Gargano appeared on behalf of the Petitioners and his son who actually operates the car rental business on this site. Mr. Gargano indicated that no sales of

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Date

By

vehicles have ever taken place on the property, and they do not intend to offer cars for sale in the future as the proposed service garage use is for car rentals only. In addition, Mr. Gargano testified that no actual service work is performed on the vehicles, only general cleaning, such as washing, waxing, and vacuuming. Therefore, approval of the special exception request shall be restricted to prohibit the sale of vehicles and limit service of those vehicles to general cleaning as outlined above. The use proposed herein is similar to many other car rental businesses, such as Enterprise, Hertz, and Avis, which frequently locate in neighborhood strip shopping centers.

It is clear that the B.C.Z.R. permits the use proposed in a B.L.-A.S. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED  
Date 3/1/89  
By [Signature]

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of March, 1999 that the Petition for Special Exception to permit a service

ORDER RECEIVED FOR FILING

Date

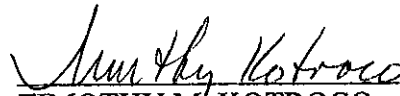
By

garage for used car rentals on Parcel A of the subject property, zoned B.L.-A.S., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 232.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback from residentially zoned property of 9 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) There shall be no automotive service work performed on the subject site. Only general cleaning of vehicles, such as washing, waxing and vacuuming of vehicles shall be permitted.
- 3) No automobiles will be sold from the subject property.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 3/1/99  
By [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

March 9, 1999

Peter V. Gargano, Esquire  
5204 Belair Road  
Baltimore, Maryland 21206-5107

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE  
N/S German Hill Road, 850' E of the c/l Merritt Boulevard  
(7620 German Hill Road)  
12th Election District - 7th Councilmanic District  
Gus S. Glava and Thomas Pappagallo - Petitioners  
Case No. 99-266-XA

Dear Mr. Gargano:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Messrs. Gus S. Glava & Thomas Pappagallo  
5030 Silver Spring Road, Baltimore, Md. 21128

Mr. Paul Lee, Century Engineering,  
32 West Road, Towson, Md. 21204

People's Counsel; Case File





# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7620 German Hill Road

which is presently zoned "BL-AS"

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A Service Garage for used car rental and sales (Parcel A = 0.147 Ac. ±) in a "BL - AS" Zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

XXXXXXXXXXXX Engineer:

Paul Lee - Century Engineering, Inc.

(Type or Print Name)

Signature

32 West Road

Address

Towson, Maryland 21204

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

Gus S. Glava

(Type or Print Name)

Signature

Thomas Pappagallo

(Type or Print Name)

Signature

5030 Silver Spring Road (410) 931-1295

Address

Phone No.

Baltimore, Maryland 21128

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Paul Lee - Century Engineering, Inc.

Name

32 West Road

(410) 823-8070

Address

Phone No.

Towson, Maryland 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: JRF DATE 11/15/99

ORDER RECEIVED FOR FILING

Date

By

Hearing Case # 99-246-XA





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7620 German Hill Road

which is presently zoned "BL-AS"

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 232.3.B of BC2R to permit a rear yard setback (Parcel "A" - 0.147 Ac.±) of 9'± from a lot in a residential zone in lieu of the required 20' (A variance of 11'±)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

~~XXXXXX~~ Engineer:

Paul Lee - Century Engineering, Inc.

(Type or Print Name)

*Paul Lee*

Signature

32 West Road

Address

Towson, Maryland 21204

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Hearing Case # 99-266-XA

Printed with Soybean Ink  
on Recycled Paper



I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Gus S. Glava

(Type or Print Name)

*Gus S. Glava*

Signature

Thomas Pappagallo

(Type or Print Name)

*Thomas Pappagallo*

Signature

5030 Silver Spring Road (410) 931-1295

Address

Phone No

Baltimore, Maryland 21128

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Paul Lee - Century Engineering, Inc.

Name

32 West Road

(410) 823-8070

Address

Towson, Maryland 21204

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL OTHER

REVIEWED BY: JRF

DATE 1/15/99

ORDER RECEIVED FOR FILING  
Date 3/11/99



32 West Road  
Towson, Maryland 21204  
(410) 823-8070



**DESCRIPTION**  
**PARCEL "A" – 0.147 Ac. ±**  
**7620 GERMAN HILL ROAD**  
**ELECTION DISTRICT 1267**  
**BALTIMORE COUNTY, MARYLAND**

BEGINNING for the same at a point on the eastern boundary line of the subject property, said point also being located Southeasterly 850' and North 14° 40' 50" W – 230 feet ± from the intersection of the center of German Hill Road with Merritt Boulevard; thence leaving said eastern boundary line;

- (1) South 75° 19' 10" West 47 feet ± to intersect the east boundary line of the property of the Baltimore Gas and Electric Company, thence running with and binding on a part of said east boundary,
- (2) North 14° 53' West – 15 feet ± thence leaving the east boundary line of said property of Baltimore Gas & Electric Company and running for 5 new lines of division,
- (3) South 75° 19' 10" West – 41 feet ±,
- (4) North 14° 40' 50" West – 17 feet ±,
- (5) South 75° 19' 10" West – 60 feet ± to intersect the Ex. "BL-AS" Zoning Line as shown on the Baltimore County Zoning Map SE 2 F, Scale = 1" = 200'; thence running with and binding on said zoning line,
- (6) North 14° 40' 50" West – 37 feet ± to intersect the existing "DR 5.5" zoning line as shown on said Baltimore County Zoning Map, thence running with and binding on said zoning line;
- (7) North 81° 52' 11" East – 149 feet ± through a portion of the Baltimore Gas & Electric Company property and the subject property to intersect the east boundary line of subject property; thence running with and binding on a portion of said east boundary line,
- (8) South 14° 40' 50" East – 52 feet ± to the point of beginning.

CONTAINING 0.147 Ac. of land, more or less, and referenced to a Parcel "A".

99-266-XA

Z66

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-286-XA  
7820 German Hill Road  
NE/S German Hill Road, 860'  
SE of centerline Merritt Boulevard  
12th Election District  
7th Councilmanic District  
Legal Owner(s): Gus S. Glava  
& Thomas Pappagallo

Special Exception: for a service garage for used car rental and sales. Variance: to permit a rear yard setback of 9 (+/-) feet from a lot in a residential zone in lieu of the required 20 feet.

Hearing: Monday, February 22, 1999 at 2:00 p.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations, Please contact the Zoning Commissioners Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, contact the Zoning Review Office at (410) 887-3391.

2/060 Feb. 4

Q288491

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/4/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/4/, 1999.

**THE JEFFERSONIAN,**

*A. Henrickson*

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 062348

DATE 1-15-99 ACCOUNT B-001-615-000  
AMOUNT \$ 550.00

RECEIVED FROM: Glova & Pappagallo  
7620 German Hill Rd. ITEM # 266  
FOR: Special Ex = \$300.00, Variance = \$250.00  
TAKEN BY: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
1/19/1999 - 1/15/1999 15:26:53  
REC'D 4501 CASHIER CLERK CML DRIVER  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 085789  
CR NO. 062348

550.00 CHECK  
Baltimore County, Maryland

99-266-XA

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 99-266-XA  
PETITIONER/DEVELOPER:  
(Thomas Pappagallo)  
DATE OF Hearing  
(Feb. 22, 1999)

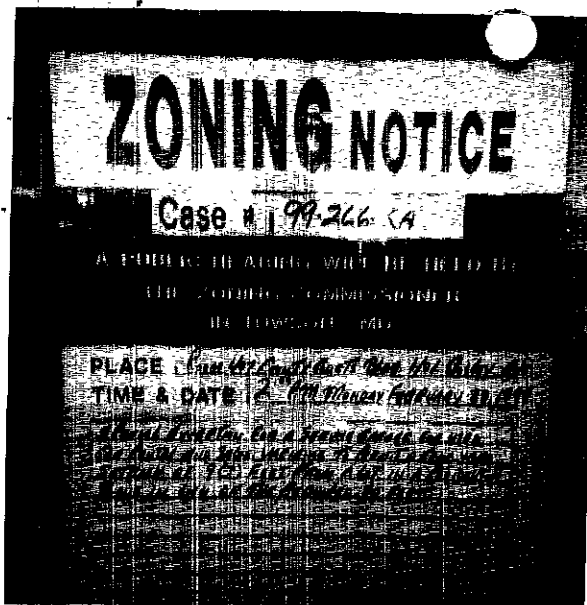
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property located at  
7620 German Hill Road Baltimore, Maryland 21222\_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ 2-5-99 \_\_\_\_\_  
[nth, Day, Year]



Sincerely,

  
(Signature of Sign Poster & Date)

\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_\_

\_\_\_\_ 325 Nicholson Road \_\_\_\_\_

\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_\_

\_\_\_\_ (410)-687-8405 \_\_\_\_\_  
(Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

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**For Newspaper Advertising:**

Item Number or Case Number: 266

Petitioner: GLAVA & PAPPAGALLO

Address or Location: 7620 GERMAN HILL RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: GOS GLAVA

Address: 5030 SILVER SPRING RD  
BALTO. MD 21128

Telephone Number: 410 823-870

Revised 2/20/98 - SCJ

99.266-XA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-266-XA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: Variance - To permit a rear yard setback of 9'  
from a lot in a residential zone in lieu of the required  
20'.

Special Exception - A service garage for used  
car ~~and~~ rental and sales.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

**HANDICAPPED ACCESSIBLE**

TO: PATUXENT PUBLISHING COMPANY  
February 4, 1999 Issue – Jeffersonian

Please forward billing to:

Gus Glava

410-823-8070

5030 Silver Spring Road

Baltimore, MD 21128

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-266-XA

17620 German Hill Road

NE/S German Hill Road, 850' SE of centerline Merritt Boulevard

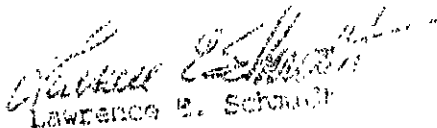
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owner: Gus S. Glava & Thomas Pappagallo

Special Exception for a service garage for used car rental and sales. Variance to permit a rear yard setback of 9 (+/-) feet from a lot in a residential zone in lieu of the required 20 feet.

HEARING: Monday, February 22, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

TC to Patuxent 1/29/99.  
Susan will fix address  
(take off 1) before it goes  
into the paper. scj

  
Lawrence E. Schmidt

ges

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

January 22, 1999

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-266-XA  
17620 German Hill Road  
NE/S German Hill Road, 850' SE of centerline Merritt Boulevard  
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District  
Legal Owner: Gus S. Glava & Thomas Pappagallo

Special Exception for a service garage for used car rental and sales. Variance to permit a rear yard setback of 9 (+/-) feet from a lot in a residential zone in lieu of the required 20 feet.

HEARING: Monday, February 22, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

45

Arnold Jablon  
Director

c: Gus Glava & Thomas Pappagallo  
Century Engineering, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 7, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

February 18, 1999

Mr. Paul Lee  
Century Engineering, Inc.  
32 West Road Towson, MD 21204

RE: Item No.: 266  
Case No.: 99-266-XA  
Location: 7620 German Hill Rd.

Dear Mr. Lee:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 15, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development Management

DATE: 2/3/99

FROM: R. Bruce Seeley, Project Manager *ROS/JS*  
Development Coordination  
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has  
**no comments** for the following Zoning Advisory Committee Items:

Item #'s: 259  
261  
262  
264  
266  
267



**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

January 28, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 25, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

259, 261, 262, 263, 264, 265, (266) and 267

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F  
cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:           Arnold Jablon, Director  
              Department of Permits & Development  
              Management

Date:   January 28, 1999

FROM: *Sub* Robert W. Bowling, Supervisor  
              Bureau of Developer's Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
              for February 1, 1999  
              Item Nos. 259, 261, 266 and 267

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc:   File

Jim  
2/22

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** February 5, 1999

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** 7620 German Hill Road

### INFORMATION:

**Item Number:** 266

**Petitioner:** Glava/Pappagallo Property

**Zoning:** BL-AS

**Requested Action:** Special Exception and Variance

### SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information and analysis conducted, the staff recommends that the applicant's requested special exception be denied. In addition, this office is opposed to the variance since it is a self-created hardship.

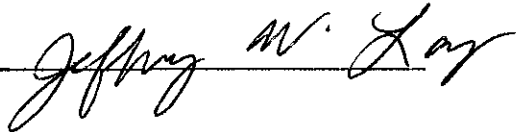
It would appear that the proposed use is inappropriate at the subject location for the following reasons:

1. The shopping center is one long building with a uniform façade, including an overhang (awning). A garage would not fit into this scheme unless it was free-standing.
2. The proposed building is 1316 square feet, with frontage of only 41 feet which is small for a service bay and an office entrance.
3. The parking appears to be adequate for the center as it now exists. However, using parking spaces from the lot to park vehicles for lease, repair, or sale, rather than providing parking on a separate site is not ideal. One of the merchants claims that "Rent a Wreck" vehicles are now parked on the shopping center lot.

4. The adjacent property is zoned DR 5.5. The proposed service garage would be located too close to adjacent residences located to the rear of the center. A service garage would have a greater impact on the immediate vicinity than many other types of uses.

If the Special Exception is granted, however, a high board-on-board fence should be installed in the rear of the subject property, and the hours of operation should be limited.

Section Chief:

A handwritten signature in cursive script, appearing to read "Jeffrey M. Lay", written over a horizontal line.

AFK/JL:

RE: PETITION FOR SPECIAL EXCEPTION  
PETITION FOR VARIANCE

7620 German Hill Road, N/S German Hill Rd,  
SE 850' and N 230' from intersection of center of  
German Hill Rd & Merritt Blvd, 12th Election  
District, 7th Councilmanic

Legal Owners: Gus S. Slava & Thomas Pappagallo  
Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-266-XA

\* \* \* \* \*

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27<sup>th</sup> day of January, 1999, a copy of the foregoing Entry of Appearance was mailed to Paul Lee, Century Engineering, Inc., 32 West Road, Towson, MD 21204, representative for Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Code

# Enforcement

Baltimore County  
Department of Permits & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3351

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

DATE: January 28, 1999

TO: Larry E. Schmidt  
Zoning Commissioner

FROM: James H. Thompson -  
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 99-266XA  
PETITIONER:

VIOLATION CASE NO.: 98-6134

LOCATION OF VIOLATION: 7620 Germanhill Road 21222  
Election District

DEFENDANT(S): Gus S. & Marlene J. Glava  
Thomas A. & Kathleen P. Pappagallo and  
Price Less  
P. Todd Gargano

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
Jean Runta	7620 German Hill Road suite 102
Peter Gargano Esq.	

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/lmh



99-266-KA

CCC

BM-AS

AVENUE

GRAY

MANOR

BLVD.

BM

SUBJECT SITE  
PARCEL 'A'

#266

Zoning MAP 'SECT'

SCALE: 1"=200'

TRANSMISSION

BL-AS

PLAINFIELD

MEADOW

ROAD

AMBLER

AMBLER

COURT

BL

HILL

WEST

WOODWELL

ROAD

W BRANCH RD

N BRANCH RD

E BRANCH RD

ROAD

BL

D.R.

And

Cheese

BL

POPULAR

ROAD

MAPLE

WILLOW

ROAD

GUM

POINT

D.R.5.1

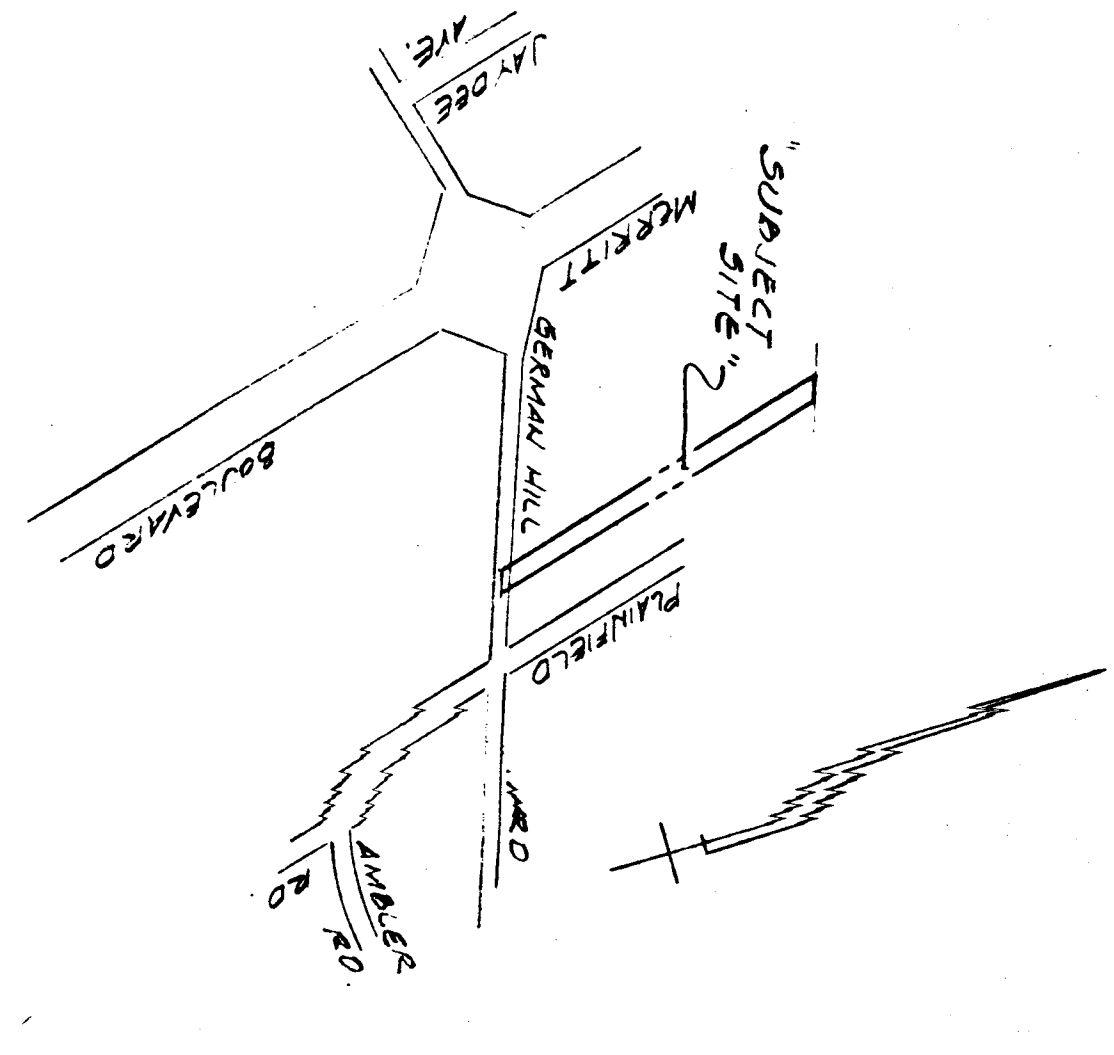
GRAY

DR.5.5

WOOD

LOMBARDY

DRIVE



LOCATION PLAN  
SCALE: 1"=500'

GENERAL NOTES

1. AREA OF PROPERTY: 0.0887 AC.
2. EXISTING ZONING OF PROPERTY: "B-45" (205410155 "B-45" ZONING)
3. EXISTING USE OF PROPERTY: "RETAIL STORES"
4. PROPOSED ZONING OF PROPERTY: "B-45" (205410155 "B-45" ZONING)
5. PROPOSED USE OF PROPERTY: "RETAIL STORES, FAST FOOD & SERVICE GASOLINE"
6. REQUIRED OFF-STREET PARKING: TOTAL BLDG AREA = 6,933.3 SF (1.57 AC) RETAIL STORES: 3,290.8 SF @ 575/1000 SF = 5.72 AC FAST FOOD: 1,612 SF @ 20/1000 = .08 AC TOTAL NUMBER PARKING SPACES REQUIRED: 6875 TOTAL NUMBER PARKING SPACES SHOWN: 6875 (100% COMPLIANT)
7. ALL PARKING AREAS & AREAS ARE PAVED WITH A DURABLE DISTRESSED SURFACE AND REMAINABILITY STRIPED ALL PARKING SPACES ARE PROVIDED EXCLUSIVELY FOR ON-SITE USES AND A PARKING AGREEMENT EXISTS WITH B&E.
8. PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A SERVICE GASOLINE USED CAR RETAIL & SERVICE (PARCELS: 0.147 AC) IN A B-45 ZONING AND A VARIANCE TO SET BACKS FROM THE REQUIRED 20' (VARIANCE OF 11').
9. NO NEIGHBORS, FOOD PLANS, CRITICAL AREAS, ARCHAEOLOGICAL SITES, HISTORIC BUILDINGS, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS EXIST ON SITE.
10. NO PREVIOUS ZONING HISTORY.
11. PREVIOUS PERMITS: B18700 & B142257.
12. AS BUILT SITE PLAN APPROVED BY BALTIMORE COUNTY PLANNING & ZONING DEPT. 1975.
13. PROPERTY LOCATED ON BALTIMORE COUNTY ZONING MAP 562 F. SCALE: 1"=600'

PLAT TO ACCOMPANY PETITION FOR

SPECIAL EXCEPTION & VARIANCE

(EXISTING SHOPPING CENTER)

\*7620 GERMAN HILL ROAD

ELECT. DIST. 100' BALTIMORE CO. NO. DEC. 29, 1975 SCALE: 1"=20'

OWNERS:  
GUS S. GLAVA & THOMAS PAMPAGALLO  
5030 SILVER SPRING RD.  
PERRY HALL, MARYLAND 21128  
PROP. # 12-20-001540  
DEED: 3586-765



ENGINEER CENTURY ENGINEERING, INC.  
32 WEST ROAD  
TOWSON, MARYLAND 21204  
(410) 521-3010

206 99266-XA